

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MATTHEW MYERS,

Petitioner,

v.

JOHN HENLEY, *et al.*,

Respondents.

Case No. 3:23-cv-00293-ART-CLB

ORDER

In this habeas corpus action, after a 90-day initial period and a 90-day extension of time, Petitioner Matthew Myers, represented by appointed counsel, was to file an amended habeas petition by February 7, 2024. (See ECF Nos. 12. 16.) On February 7, 2024, Myers filed a motion for extension of time (ECF No. 17), requesting a further 90-day extension of time, to May 7, 2024, to file his amended petition. Myers's counsel states that the extension of time is necessary because of the time it is taking to investigate the case and gather and organize the record. Myers's counsel represents that the respondents do not oppose the extension of time. The Court finds that the motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

It is therefore ordered that Petitioner's Motion for Extension of Time (ECF No. 17) is granted. Petitioner will have until and including May 7, 2024, to file his amended petition for writ of habeas corpus. In all other respects, the schedule for further proceedings set forth in the scheduling order entered August 11, 2023 (ECF No. 12) will remain in effect.

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1 It is further ordered that pursuant to Federal Rule of Civil Procedure 25(d),
2 John Henley is substituted for Nethanjah Breitenbach as the respondent warden.
3 The Clerk of the Court is directed to update the docket to reflect this change.
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6 DATED THIS 9th day of February 2024.

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9 ANNE R. TRAUM
10 UNITED STATES DISTRICT JUDGE
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